IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE THIRTY FIRST DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

HON'BLE SRI DEVINDER GUPTA, THE CHIEF JUSTICE

and
HON'BLE SRI JUSTICE M.NARAYANA REDDY

WRIT PETITION NO.25110 of 2004

Between:

Kummari Prasad

S/o Late Mallaiah, Aged: 30 years,

Occ: Agriculture, R/o Raghavapur,

SC colony, Peddapalli Mandal,

Karimnagar district.

..... PETITIONER

AND

1. The Environmental Engineer,

A.P. Pollution Control Board, Regional office,

Ramagundam, Karimnagar district.

2. The Mandal Revenue officer, Peddapalli,

Karimnagar district.

3. Kotte Komuraiah,

S/o Late K.Narayana, Aged 50 years,

KKR Brick Industries, Raghavapur village,

Peddapalli Mandal, Karimnagar district.

4. Maruku Laxmi,

S/o Late Rajaiah, Aged 38 years,

R/o Raghavapur village, Peddapalli Mandal,

Karimnagar district.

5. Oddam Srinivas,

S/o Late O.Rajaiah, Aged about 36 years,

R/o Raghavapur village, Peddapalli Mandal,

Karimnagar district.

6. Narra Chenchu Naidu, S/o Not Known,

Aged 50 years, Prop. Of SBS Industries,

Raghavapur village, R/o Ayyappa Temple,

Peddapalli, Karimnagar district.

7. Maadala Venkanna S.o M.Subba Rao, Aged 35 years,

Prop. P.V.C.Bricks Industries, Raghavapur village,

R/o Near Nandana Gardens, Peddapalli,

Karimnagar district.

8. Navvuluri Siddaiah, S/o Not known, Aged: 38 years,

Prop. of Brick Kiln at Raghavapur village,

R/o Shanthinagar, Peddapalli, Karimnagar district.

9. Sindla Narayana, S/o not known, Aged 45 years,

Prop. SBK Industries, Raghavapur village,

R/o Kalvacharla village, Kamanpur Mandal,

Karimnagar district.

10. Pachava Vengaiah, S/o not known, aged 55 years,

Prop. PVN Bricks Industries, Raghavapur village,

R/o Opp. Government ITI Peddapalli,

Karimnagar district.

11. Konijeti Harjathaiah, S/o Not known aged 48 years,
Prop. BHI Brick Industries, Raghavapur village,

R/o Opp. KVR complex, Pragathinagar,

Peddapalli, Karimnagar district.

12. Gandla Rajamallu, S/o Not known, aged 55 years,

Prop. GLS Bricks industries, Raghavapur village,

R/o Kamanpur, Karimnagar district.

13. Gadde Babu Rao, S/o Unknown, aged 40 years,

Prop. BBC Bricks Industries, Raghavapur village,

R/o Opp. Ayyappa Temple, Peddapalli,

Karimnagar disrict.

14. Madala Subba Rao, S/o Not known, aged 55 years,

Prop. PVB Bricks Industries, Raghavapur village,

R/o Opp. Ayyappa Temple, Peddapalli,

Karimnagar disrict.

15. P.Kondaiah, S/o not known, aged 45 years,

Prop. PVC Bricks Indusries, Raghavapur village,

R/o Near Nandana Gardens, Kunaram road,

Peddapalli, Karimnagar district.

16. Pidugu Kanakaiah, S/o not known, aged 55 years

Prop. Of Brick Industry at Raghavapur village,

R/o Kamanpur Bus Stage, Karimnagar district.

17. Patibandla Prabhakar, S/o not known aged 42 years,

Prop. of Brick Industry at Raghavapur village,

R/o Near Ayyappa Temple, Peddapalli,

Karimnagar district.

18. Saindla Babu, S/o not known, Aged: 45 years,

Prop. Of Brick Industry at Raghavapur village,

R/o Kalvacharla of kamanpur Mandal,

Karimnagar district.

19. P.Venkata Ramana, S/o not known, aged 45 years,

Prop. Of a Brick industry at Raghavapur village,

R/o Near Nandana Gardens, Kunaram road,

Peddapalli, Karimnagar district.

.....RESPONDENT(S)

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue any appropriate writ, order or direction preferably a writ in the nature of mandamus declaring the inaction of the respondents No.1 and 2 in not taking action against the respondents 3 to 19 in the direction of closing the operation of brick kilns by them and shifting them to a place distant from the house of the petitioner and other villagers as unjust, illegal and direct the respondents 1 and 2 to take immediate action in that regard.

Counsel for the Petitioner : Sri I.AGA REDDY

Counsel for the Respondent No.1 : Sri S.V.Bhatt

Counsel for the Respondent No.2 : GP FOR REVENUE

The Court made the following :

W.P.No.25110 of 2004

HCJ & MNR,J

ORDER: (Per Hon'ble the Chief Justice)

A very innocuous prayer has been made in the writ petition seeking direction against respondents 1 and 2 to take action in accordance with provisions of the Pollution Control legislation since due to the action of respondents 3 to 16, residents of the locality are facing environmental problems.

Petitioner alleged that a representation had been submitted to respondents 1 and 2, but no action has been taken.

We need not retain this writ petition on record, but direct respondents 1 and 2 that

the representation of the petitioner in that this writ petition be treated as representation and thereafter, respondents 1 and 2 may proceed to have the inspection carried out and in case private respondents impleaded herein are found to be responsible for causing environmental problems, appropriate proceedings in accordance with law will be initiated within a period of two months from the date of receipt of order from the Court and after hearing concerned parties, appropriate directions, if any, as are required to be issued, will be issued thereby requiring the private respondents to comply with the same.

Writ Petition accordingly stands disposed of.

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DEVINDER GUPTA, C.J.

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M.NARAYANA REDDY,J

31-12-2004

Note: Despatch copy within one week.

(b/o)

bsc

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Environmental Engineer,

A.P. Pollution Control Board, Regional office,

Ramagundam, Karimnagar district.

2. The Mandal Revenue officer, Peddapalli,

Karimnagar district.

3. 2CCs to Govt. Pleader for Revenue, High Court buildings,

Hyderabad (OUT)

4. 2CD copies

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